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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/699,997

11/03/2003

Mark Levine

930009-2015

5362

20999 7590 03/31/2010  
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745 FIFTH AVENUE- 10TH FL.  
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EXAMINER

PIZIALI, ANDREW T

ART UNIT

PAPER NUMBER

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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10699997	11/3/03	LEVINE ET AL.	930009-2015

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NEW YORK, NY 10151

**EXAMINER**

Andrew T. Piziali

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1794	20100324
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DATE MAILED:

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**Commissioner for Patents**

It is noted that the appeal of application 10/928,894 appears to be a related appeal which might have a bearing on the Board's decision in the pending appeal. Albany International Corp. is the real party of interest in both applications and both applications relate to industrial fabrics used in making nonwoven textiles. On page 12 of the appeal brief filed on 1/15/2010 in application 10/928,894, the appellant admits that "industrial" is generally understood to mean relating to the production of goods for commerce and that an industrial product is therefore understood to be a product that is merely associated with the commercial production and sale of a good. Contrary to that asserted in application 10/928,894, on pages A-16 to A-18 of the reply brief filed 1/8/2010 in the current appeal the appellant asserts that clothing fabric (a commercial good) is not an industrial fabric.

The reply brief filed 1/8/2010 has been entered and considered. The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.

/Andrew T Piziali/  
Primary Examiner, Art Unit 1794